

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GEORGIA NOONAN, individually and on behalf all others similarly situated,  Plaintiff,  v.  SEMPRIS, LLC, a Delaware limited liability company, and HAMPTON DIRECT, INC., a Vermont corporation,  Defendants.	Case No. 2:13-cv-00257-RSL  <b>STIPULATED MOTION AND ORDER TO SEAL EXHIBIT 1 TO THE DECLARATION OF MICHAEL T. MCGOWAN IN SUPPORT OF SEMPRIS, LLC'S MOTION TO DISMISS COMPLAINT</b>  NOTED ON MOTION CALENDAR: WEDNESDAY, APRIL 10, 2013
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**STIPULATION AND MOTION**

With its upcoming motion to dismiss, Sempris informed Noonan that it plans to submit a compact disc containing an audio recording as Exhibit 1 to a declaration of Michael T. McGowan.

Counsel for Sempris met and conferred with counsel for Noonan on April 5, 2013 via e-mail. Sempris' counsel conferred with counsel for Defendant Hampton Direct, Inc. on April 8, 2013 via email. All parties agree that good cause exists to file Exhibit 1 under seal because the recording purports to include the Plaintiff's private financial information and her home address, and the compact disc cannot be easily redacted to remove the references to such information. *See also* Fed.

1 R. Civ. P. 26(c) (authorizing a court to enter “an order to protect a party or person from annoyance,  
2 embarrassment, oppression, or undue burden or expense”); LCR 5(g)(1)(B) (“Parties must protect  
3 sensitive information . . .”).<sup>1</sup>

4 Defendants and Plaintiff therefore stipulate that good causes exists for the Court to enter an  
5 order sealing Exhibit 1 to the Declaration of Michael T. McGowan in Support of Sempris, LLC’s  
6 Motion to Dismiss Complaint.

7 By agreeing that the compact disc should be filed under seal, Noonan does not waive any  
8 arguments whatsoever about the compact disc, including but not limited to whether it (i) may  
9 properly be considered on a motion to dismiss, (ii) is authentic, (iii) has appropriate foundation,  
10 (iv) is complete, (v) is relevant, (vi) was obtained lawfully, or (vii) any other argument.

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26 <sup>1</sup> In addition to manually filing the audio recording, Sempris will electronically file a redacted  
27 transcript (attached to the McGowan Declaration as Exhibit 2), which omits references to Plaintiff’s  
28 private information, pursuant to Local Civil Rules 5.1(g)(1)(B) and 5.2(a).

1 DATED this 10th day of April, 2013

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3 JENNER & BLOCK LLP

4 By /s/ Kenneth K. Lee  
5 Brent Caslin, WSBA # 36145  
6 Kenneth K. Lee\*  
7 Kelly M. Morrison\*  
8 633 West 5th Street, Suite 3600  
9 Los Angeles, CA 90071  
10 Telephone: (213) 239-5100  
11 Facsimile: (213) 239-5199  
12 Email: bcaslin@jenner.com;  
13 klee@jenner.com;  
14 kmorrison@jenner.com

11 Craig C. Martin\*\*  
12 353 N. Clark Street  
13 Chicago, IL 60654-3456  
14 Phone: (312) 222-9350  
15 Facsimile: (312) 527-0484  
16 Email: cmartin@jenner.com  
17 Attorneys for Defendant Sempris, LLC

17 VENABLE LLP

18 By /s/ Gregory J. Sater  
19 Gregory J. Sater \*  
20 2049 Century Park East  
21 Los Angeles, CA 90067  
22 Telephone: (310) 229-9900  
23 Facsimile: (310) 229-9901  
24 Email: gsater@venable.com

23 Attorneys for Defendant Hampton  
24 Direct, Inc.

LAW OFFICES OF CLIFFORD A. CANTOR,  
P.C.

By /s/ Cliff Cantor  
Cliff Cantor, WSBA # 17893  
627 208th Ave. SE  
Sammamish, WA 98704  
Telephone: (425) 868-7813  
Email: cliff.cantor@comcast.net

EDELSON MCGUIRE LLC

Rafey S. Balabanian\*  
Benjamin H. Richman\*  
Christopher L. Dore\*  
Alicia E. Hwang\*  
350 N. LaSalle St., Ste. 1300  
Chicago, IL 60654  
(312) 589-6370  
rbalabanian@edelson.com  
brichman@edelson.com  
cdore@edelson.com  
ahwang@edelson.com

Attorneys for Plaintiff Georgia Noonan

\* admitted *pro hac vice*  
\* \*application for admission  
*pro hac vice* to be filed

**ORDER**

IT IS HEREBY ORDERED that good cause exists to file and maintain Exhibit 1 to the Declaration of Michael T. McGowan under seal. Pursuant to LCR 5(g)(7), the Clerk of the Court is directed to seal Exhibit 1 to the Declaration of Michael T. McGowan.

Dated this 23<sup>rd</sup> day of April, 2013.



Robert S. Lasnik  
United States District Judge